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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA
16 SAN FRANCISCO DIVISION

17 RAMBUS INC.,
18 Plaintiff,
19 v.
20 INTERNATIONAL BUSINESS MACHINES
CORPORATION,
21 Defendant.
22

CASE NO. C 10-03736 JSW
(Related Case: C 10-04017 JSW)

STIPULATION RE: CASE SCHEDULE;
SUPPORTING DECLARATION OF TINA
E. HULSE;
[PROPOSED] ORDER AS MODIFIED

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Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Rambus Inc. ("Rambus") and Defendant International Business Machines Corporation ("IBM"), through their respective counsel of record, respectfully request, and with the Court's permission, stipulate to a two-week extension of the current case schedule to allow the parties to finalize the settlement agreement and associated papers. The parties note that they have exchanged drafts and are currently working on finalizing the papers. More specifically, with the Court's permission, the parties hereby stipulate that the current schedule set forth in the May 12, 2011, Stipulated Order [Dkt. 62] be modified as follows:

EVENT	CURRENT SCHEDULE	PROPOSED DATE
Exchange of Preliminary Claim Constructions and Extrinsic Evidence (Patent L.R. 4-2(a), (b))	May 31, 2011	June 13, 2011
Meet and confer re Joint Claim Construction and Prehearing Statement (Patent L.R. 4-2(c))	June 6, 2011	June 20, 2011
Last day to request leave to designate additional terms for claims construction JSW Standing Order ¶ 4	June 10, 2011	June 24, 2011
Joint Claim Construction and Prehearing Statement (Patent L.R. 4-3) – Includes Expert Testimony. Parties must attach copies of patents, make available file histories to Court for each involved patent	June 24, 2011	July 8, 2011
Completion of Claim Construction Discovery (Patent L.R. 4-3)	July 25, 2011	August 8, 2011
Rambus Opening Claim Construction Brief (Patent L.R. 4-5(a)). 25 page limit	August 8, 2011	August 22, 2011
IBM Responsive Claim Construction Brief (Patent L.R. 4-5(b)). 25 page limit	August 22, 2011	September 6, 2011

EVENT	CURRENT SCHEDULE	PROPOSED DATE
Rambus - Reply Brief and any evidence directly rebutting the supporting evidence (Patent L.R. 4-5(c)). 15 page limit	August 29, 2011	September 12, 2011
Amended Joint Claim Construction Statement		
Tutorial for the Court	September 21, 2011	October 5, 2011, or any later date, subject to the convenience of the Court's calendar
Claim Construction ("Markman") Hearing (Patent L.R. 4-6).	October 5, 2011	October 19, 2011, or any later date, subject to the convenience of the Court's calendar

By her signature below, counsel for Plaintiff attests that counsel for Defendant concurs in the filing of this stipulation.

Respectfully submitted,

Date: May 27, 2011

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: /s/ Tina E. Hulse

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Dated: May 27, 2011

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International Business Machines Corporation

SUPPORTING DECLARATION OF TINA E. HULSE

I, TINA E. HULSE, declare as follows:

1. I am an associate at Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P., counsel for Plaintiff Rambus Inc. (“Rambus”). I submit this declaration in support of the parties’ Stipulation Regarding Case Schedule. I make this declaration of my own personal knowledge and will competently testify thereto if called upon to do so.

2. On April 15, 2011, and May 12, 2011, the Court entered Stipulated Orders [Dkt. Nos. 60 and 62], which set forth the claim construction briefing schedule for this action. The May 12, 2011, Stipulated Order [Dkt 62] also set the technology tutorial for September 21, 2011, at 1:30 p.m. and the *Markman* Hearing for October 5, 2011, at 1:30 p.m.

3. The parties, both the respective corporate representatives and outside counsel, have been actively discussing resolution of this case, have reached a settlement in principle, and have exchanged drafts of the settlement papers and are currently working on finalizing them. Accordingly, the parties have met and conferred and agree that continuing the case schedule for two weeks will facilitate finalization of the necessary settlement papers precedent to resolution of this action.

4. The Court previously granted the Stipulated Orders to permit settlement discussions. Otherwise, the only time modification in this case was to change the Case Management Conference from December 3, 2010, to January 14, 2011, to coincide with the hearing on Rambus's motion to dismiss in related case, *International Business Machines Corp. v. Rambus Inc.*, No. C 10-04017 JSW. See Dkt. 48.

5. The requested modification in the current case schedule will not affect any other pre-trial deadlines, as the pre-trial schedule has not yet been entered in this case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and this declaration was executed this 27th day of May, 2011.

/s/ Tina E. Hulse
Tina E. Hulse

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED: AS MODIFIED. The tutorial will be held at 1:30 p.m. on October 4, 2011 and the claims construction hearing will be held at 1:30 on October 18, 2011 at 1:30 p.m.

Dated: May 31, 2011

The Honorable Jeffrey S. White
United States District Judge
Northern District of California